

Serial No. **09/893,687**
Reply to Office Action of May 24, 2006

Docket No. **K-0298**

Amendments to the Drawings:

The attached drawing includes changes to Figure 16. This sheet, which includes Figure 16, replaces the original sheet including Figure 16. Figure 16 has been amended to correct a typographical error and to add reference number 245c. No new matter is added.

Attachments: Annotated Sheet Showing Changes (1)
Replacement Sheet (1)

REMARKS/ARGUMENTS

Claims 8-12, 15-19 and 21-50 are pending in this application. By this Amendment, the drawings, specification, and claims 8, 33 and 40 are amended. The drawings, specification, and claims are amended for clarification purposes only. No new matter is added. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

I. Objections to the Drawings

The Office Action objects to Figures 7 and 14-17 under 37 CFR 1.84(p)(5). There appears to be a discrepancy between the paragraph numbering referred to in the Office Action and the paragraph numbering in the specification as filed by Applicant. Where applicable, both sets of paragraph numbers are referred to.

Regarding Figure 7, it is respectfully submitted that Figure 7, and more specifically, the steps shown in the flow chart illustrated in Figure 7, are discussed in at least paragraphs 42 and 43 of the specification (referred to as paragraphs 65 and 66 in the Office Action). Further, it is respectfully submitted that the amendments to paragraphs 42 and 43 submitted herewith are responsive to the Examiner's comments, and that Figure 7 meets the requirements of 37 CFR 1.84(p)(5). Accordingly, the objection to Figure 7 should be withdrawn.

Regarding Figure 14, it is respectfully submitted that at least paragraph 25 of the specification indicates that Figure 14 provides a detailed example of the process shown in Figure

13. It is respectfully submitted that the amendments to paragraphs 60 and 61 clarify that this portion of the written description applies to at least Figure 14. Accordingly, it is respectfully submitted that Figure 14 meets the requirements of 37 CFR 1.84(p)(5), and thus the objection to Figure 14 should be withdrawn.

Regarding Figure 15, it is respectfully submitted that the particular steps shown in the flow chart illustrated in Figure 15 are discussed in at least paragraphs 63 and 64 of the specification (referred to as paragraphs 86 and 87 in the Office Action). Further, it is respectfully submitted that the Amendments to paragraph 63 clarify that this portion of the specification is directed at Figure 15. Additionally, it is noted that the reference to element 143a was changed to 243a, as suggested in the Office Action, in the Amendment filed March 31, 2005. Accordingly, it is respectfully submitted that Figure 15 meets the requirements of 37 CFR 1.84(p)(5), and thus the objection to Figure 15 should be withdrawn.

Regarding Figure 16, it is respectfully submitted that the amendments to paragraphs 67 and 68 (referred to as paragraphs 91-92 in the Office Action) are responsive to the Examiner's comments. Accordingly, it is respectfully submitted that Figure 16 meets the requirements of 37 CFR 1.84(p)(5), and thus the objection to Figure 16 should be withdrawn.

Regarding Figure 17, it is respectfully submitted that Figure 17 is merely exemplary in nature, and provides an example of how and where the information referred to in steps S245a and S245b of Figure 16 may appear on a screen of a web site using the described method.

Accordingly, it is respectfully submitted that Figure 17 meets the requirements of 37 CFR 1.84(p)(5), and thus the objection to Figure 17 should be withdrawn.

II. Objections to the Claims

The Office Action objects to claims 33 and 40 due to informalities. It is respectfully submitted that the amendments to claims 33 and 40 are responsive to the Examiner's comments, and thus the objection should be withdrawn.

III. Rejections Under 35 U.S.C. §103(a)

The Office Action rejects claims 8-12, 17-19, 23-28, 42-45 and 47-50 under 35 U.S.C. §103(a) over U.S. Patent No. 6,912,293 to Korobkin (hereinafter "Korobkin"). The rejection is respectfully traversed.

A. Independent Claim 8

Independent claim 8 recites a method for operating a product selling system, comprising, *inter alia*, simulating a 3D installation of the product in a venue in which the product is to be installed and displaying the simulated 3D installation on the web page, wherein a 3D image of the venue is generated based on a purpose of the building, an inside volume, an estimated number of persons in a room, an inside material, a type of ventilation system, an internal structure, or a floor number on which the product is to be installed. Independent claim 8 further recites receiving information required for selling the product if a purchase order for the

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product is received, returning to a prior step if a cancel order is received, and repeating the foregoing steps if a request for a search for alternative products is received. Korobkin neither discloses nor suggests at least such features, or the claimed combination of features.

Korobkin discloses a photogrammetric media processing engine (MPE) 11 coupled to a transmission network 10 (i.e., the Internet). A user may upload 2D digital images 24 and/or 3D geometric models 23 to the network 10, or download network digital images 21 and/or network 3D models 20 from the network 10. From 2D digital images, the system generates scene graphs which define a particular image through a series of nodes and links, as shown in Figures 3-13 of Korobkin.

In a typical application of this system, a customer uploads a 2D digital image of a room to be furnished (a 2D digital image 24) to a particular merchant's website through the network 10. The customer then shops for and selects items to furnish the room from 2D digital images (network digital images 21) of those items posted by the merchant. The system then maps the 2D digital images of the selected items into the 2D digital image of the room to form a "mosaic" image from which the system generates a 3D model. In each application disclosed by Korobkin, the room, or installation, or venue information, is provided via upload from the customer through the 2D digital image, and the system is merely capable of generating a 3D model from that 2D image. Korobkin neither discloses nor suggests that any venue type information could be made available for selection by the customer, nor that any type of custom room, or venue could be generated based on any type of requirements entered by the customer, let alone that a

3D image of the venue is generated based on a purpose of the building, an inside volume, an estimated number of persons in a room, an inside material, a type of ventilation system, an internal structure, or a floor number on which the product is to be installed, as recited in independent claim 8.

The Office Action indicates that Korobkin discloses at column 30, lines 11-28 that a user may place a “wall” at a left side of a room. However, this portion of Korobkin’s disclosure is directed at the customer’s ability to designate certain portion(s) of the image which has been provided to the system as particular portions of the room, or venue, and how a particular point may be designated as a point of reference for the remainder of the room (see, for example, column 30, lines 14-20 of Korobkin). This disclosure by Korobkin in no way discloses or suggests that the system is capable of generating an image of a venue based on any of the recited parameters.

Further, Korobkin neither discloses nor suggests that the system includes any type of capability for revising or canceling orders. Although Korobkin does disclose that a PUP may be selected to place an order, Korobkin’s system is clearly, for the most part, directed at the contents of the graphics program used to generate the 3D images themselves, and not to the management of sales, order placement and the like. Korobkin neither discloses nor suggests any ability to revise or cancel orders, and thus necessarily neither discloses nor suggests receiving information required for selling the product if a purchase order for the product is received, returning to a prior step if a cancel order is received, and repeating the foregoing steps if a

request for a search for alternative products is received, as recited in independent claim 8.

Applicant respectfully disagrees with the assertion in the Office Action that returning to a prior step and repeating the foregoing steps is an obvious modification of the system disclosed by Korobkin. Korobkin's extensive disclosure spans 43 columns, and it is not until the final four lines of the 43rd column that Korobkin even alludes to the ability to make a purchase based on the 3D images generated by the system. Rather, Korobkin's disclosure is clearly focused on the ability to generate 3D images from the pairings of two or more 2D images, the detailed explanation of which fills the remainder of Korobkin's 43 columns and 52 sheets of figures. Korobkin neither discloses nor suggests that order placement, revision, cancellation, and other such selling related functions are necessary or critical, nor that it would be advantageous to incorporate these features into the disclosed system. Thus, it is respectfully submitted that these features are not obvious.

B. Independent claim 49

Independent claim 49 recites a method for selling a product, comprising, *inter alia*, receiving an appropriate classification from a plurality of classifications based on a purpose of access and a level of expertise, providing a first set of information related to the required product for an individual, non-expert classification, receiving additional information related to installation requirements for the required product including drawings of a building into which the required product is to be installed, and providing a second set of information related to the required product for an expert classification, simulating a three dimensional (3D) installation of

the required product and displaying the simulated installation on a web page, and repeating the searching, providing, receiving, and simulating steps until a purchase order is placed. As set forth above, Korobkin neither discloses nor suggests at least such features, or the claimed combination of features.

More specifically, Korobkin neither discloses nor suggests providing first and second sets of information, let alone based on non-expert and expert classification levels, respectively, as recited in independent claim 49. The Office Action asserts that Korobkin discloses use of the system by novices and professionals at column 6, lines 8-26. However, this portion of Korobkin is directed at the way in which a 2D image may be mapped into a 3D model, and the advantages this capability may provide. It is respectfully submitted that Korobkin's system is limited to simply receiving input from an unknown, unclassified source and generating a 3D model based only on the images it is given. Korobkin neither discloses nor suggests that the system is capable of providing first and second sets of information based on a classification level, nor continuing to reprocess the information until a purchase order is placed, as recited in independent claim 49. It is further submitted that it would not have been an obvious modification of Korobkin's system to extend classification levels based on purpose of access and level of expertise. Rather, it is respectfully submitted that Korobkin teaches away from such a modification, as Korobkin clearly discloses that one purpose of his system is to provide this 3D modeling capability to the average shopper to improve an online shopping experience.

For at least these reasons, it is respectfully submitted that independent claims 8 and 49 are allowable over Korobkin, and thus the rejection of independent claims 8 and 49 under 35 U.S.C. §103(a) over Korobkin should be withdrawn. Dependent claims 9-12, 17-19, 23-28, 42-45, 47-48, and 50 are allowable at least for the reasons set forth above with respect to independent claims 8 and 49, from which they respectively depend, as well as for their added features.

C. Claims 15, 16, 21, 22, 39-41 and 46

The Office Action rejects claims 39-41 under 35 U.S.C. §103(a) over Korobkin in view of U.S. Patent No. 7,043,457 to Hansen (hereinafter “Hansen”). The Office Action also rejects claims 15, 16, 21, 22 and 46 under 35 U.S.C. §103(a) over Korobkin in view of U.S. Patent No. 6,390,063 to Obata et al. (hereinafter “Obata”). These rejections are respectfully traversed.

Dependent claims 15, 16, 21, 22, 39-41 and 46 are allowable over Korobkin at least for the reasons set forth above with respect to independent claim 8, from which they depend, as well as for their added features. Further, Hansen is merely cited as allegedly teaching the use of client information which includes type, quantity, and delivery date(s) of products, and Obata is merely cited as allegedly teaching receiving allowable load information with corresponding venue information, and selecting and displaying an appropriate product. Thus, Hansen and Obata each fail to overcome the deficiencies of Korobkin. Accordingly, it is respectfully submitted that

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claims 15, 16, 21, 22, 39-41 and 46 are allowable over the respective applied combinations, and thus the rejection of claims 15, 16, 21, 22, 39-41 and 46 under 35 U.S.C. §103(a) should be withdrawn.

IV. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, **JOANNA K. MASON**, at the telephone number listed below.

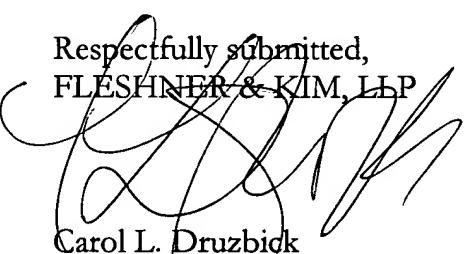
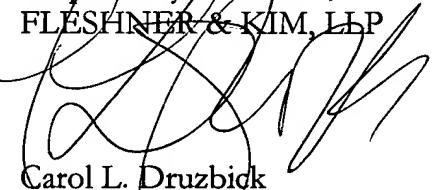
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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